



General Assembly

February Session, 2014

Raised Bill No. 445

LCO No. 2508



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***AN ACT CONCERNING CERTAIN RECOMMENDATIONS OF THE
TASK FORCE ON THE SALE OF CATS AND DOGS FROM INHUMANE
ORIGINS AT CONNECTICUT PET SHOPS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-344c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) If a town requires the licensure of persons keeping ten or more
4 unneutered or unspayed dogs capable of breeding, such persons shall
5 apply to the clerk of the town in which such dogs are located for a
6 license. Such town clerk, if the zoning enforcement official has certified
7 that the location where such dogs shall be kept conforms to the zoning
8 regulations of the municipality, shall issue to such applicant a license,
9 for a reasonable fee to be determined by the town, on a form
10 prescribed by the town for a period, from the date of such application
11 until the thirtieth day of the ensuing June which license shall specify
12 the name and number of the dogs, the name of the owner and, if
13 applicable, the name of a keeper. Each such license may be renewed
14 from year to year by the town clerk upon application of such owner or

15 keeper.

16 (b) The Commissioner of Agriculture, the Chief Animal Control
17 Officer or any animal control officer may at any time inspect or cause
18 to be inspected any location, required by a town to be licensed,
19 keeping ten or more unneutered or unspayed dogs capable of
20 breeding, by a registered veterinarian appointed by the commissioner
21 and if, in the judgment of the commissioner: [~~such~~] (1) Such location
22 is not being maintained in a sanitary and humane manner, (2) the
23 owner or keeper of such location does not comply with the standard of
24 care applicable to breeders, as described in subsection (e) of this
25 section, or (3) if [he] the commissioner finds that communicable or
26 infectious disease or other unsatisfactory conditions exist, [he] the
27 commissioner may issue such orders as [he] the commissioner deems
28 necessary for the correction of such conditions and may quarantine the
29 premises and animals. If the owner or keeper of such location fails to
30 comply with such orders, the commissioner may recommend the
31 revocation or suspension of such license to the town which issued such
32 license.

33 (c) Any person aggrieved by any order issued under the provisions
34 of this section may appeal to the Superior Court in accordance with the
35 provisions of section 4-183.

36 (d) Any person keeping ten or more unneutered or unspayed dogs
37 capable of breeding, in a location required to be licensed, after such
38 license has been revoked or suspended as herein provided shall be
39 fined not less than fifty dollars or more than one hundred dollars.

40 (e) Not later than December 31, 2014, the Commissioner of
41 Agriculture shall prescribe the standard of care to be provided to dogs
42 or cats, as applicable, by any person who: (1) Keeps ten or more
43 unneutered or unspayed dogs capable of breeding, or (2) owns or
44 operates a breeding cattery. Such standard of care shall be consistent
45 with the standard of care to be provided by an animal importer, as

46 prescribed pursuant to subdivision (6) of subsection (e) of section 22-
47 344.

48 Sec. 2. Section 22-344b of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective October 1, 2014*):

50 (a) A pet shop licensee shall, prior to offering a dog or cat for sale
51 and thereafter at intervals of fifteen days until such dog or cat is sold,
52 provide for examination of such dog or cat by a veterinarian licensed
53 under chapter 384. Such licensee shall maintain a record of the
54 veterinary services rendered for each dog or cat offered for sale.

55 (b) (1) If, (A) within twenty days of sale, any such dog or cat
56 becomes ill or dies of any illness which existed in such dog or cat at the
57 time of the sale, or (B) within six months of sale, any such dog or cat is
58 diagnosed with a congenital defect that adversely affects or will
59 adversely affect the health of such dog or cat, such licensee shall: (i)
60 Reimburse such consumer not [more] less than five hundred dollars
61 and not more than one hundred fifty per cent of the purchase price of
62 such dog or cat for services and medications provided to such dog or
63 cat by any veterinarian licensed pursuant to chapter 384 for the
64 treatment of such illness or congenital defect upon the presentation by
65 such consumer to such licensee of a certificate from such veterinarian
66 that such dog or cat suffers or suffered from such illness or congenital
67 defect. No licensee may require the consumer to return such dog or cat
68 to such licensee to receive such reimbursement, or (ii) at the option of
69 such consumer, replace the dog or cat or refund in full the purchase
70 price of such dog or cat: (I) In the case of illness or such congenital
71 defect, upon return of the dog or cat to the pet shop and the receipt of
72 a certificate from a veterinarian licensed under chapter 384 and
73 selected by the consumer, stating that the dog or cat is ill from a
74 condition which existed at the time of sale, or suffers from such
75 congenital defect, and (II) in the case of death, the receipt of a
76 certificate from a veterinarian licensed under chapter 384 and selected
77 by the consumer, stating that the dog or cat died from an illness or a

78 congenital defect which existed at the time of sale. The presentation of
79 such certificate shall be sufficient proof to claim reimbursement or
80 replacement and the return of such deceased dog or cat to the pet shop
81 shall not be required. No such refund or replacement shall be made if
82 such illness or death resulted from maltreatment or neglect by a person
83 other than the licensee or such licensee's agent or employee. A licensee
84 shall not be subject to the obligations imposed by this subsection for
85 the sale of a cat where such cat has been spayed or neutered prior to its
86 sale.

87 (2) Each pet shop licensee who sells dogs or cats shall post a
88 statement of customer rights pursuant to this section in a location that
89 is readily visible to the public and also provide a copy of such
90 statement to any purchaser of a dog or cat at the time of purchase. The
91 commissioner shall prescribe the content of such statement. Any
92 statement of customer rights posted pursuant to this section shall be
93 printed in black lettering of not less than twenty point size upon a
94 white background.

95 [(c) A licensee who violates any provision of this section shall forfeit
96 to the state a sum not to exceed five hundred dollars for each animal
97 which is the subject of the violation. The Attorney General, upon
98 complaint of the commissioner, may institute a civil action in the
99 superior court for the judicial district of Hartford to recover the
100 forfeiture specified in this section.]

101 (c) Any licensee who violates any provision of this section shall be
102 fined not more than five hundred dollars.

103 Sec. 3. Section 22-344d of the general statutes is repealed and the
104 following is substituted in lieu thereof (*Effective October 1, 2014*):

105 (a) A sign measuring not less than three inches in height and not
106 less than five inches in width shall be posted on the cage of each dog
107 offered for sale in a pet shop. The sign shall contain information
108 printed in black lettering on a white background listing the breed of

109 such dog, the locality and state in which such dog was born, and any
110 individual identification number of such dog as listed on the official
111 certificate of veterinary inspection from the state of origin.

112 (b) A sign shall be posted stating the following "THE FOLLOWING
113 INFORMATION IS ALWAYS AVAILABLE ON ALL OUR PUPPIES:
114 DATE OF BIRTH, THE STATE OF BIRTH, BREED, SEX AND COLOR,
115 THE DATE THE PET SHOP RECEIVED THE PUPPY, THE NAMES
116 AND REGISTRATION NUMBERS OF THE PARENTS (FOR AKC
117 REGISTERABLE PUPPIES), RECORD OF INOCULATIONS AND
118 WORMING TREATMENTS AND ANY RECORD OF ANY
119 VETERINARY TREATMENT OR MEDICATIONS RECEIVED TO
120 DATE." Such sign shall include a telephone number at the Department
121 of Agriculture through which information may be obtained regarding
122 complaints about diseased or disabled animals offered for sale. Such
123 sign shall be posted in a place readily visible to the consumer where
124 dogs are offered for sale and printed in black lettering not less than
125 thirty-eight point size upon a white background.

126 (c) Each licensee shall post the United States Department of
127 Agriculture inspection reports for the breeder of any dog offered for
128 sale in a pet shop. Such inspection reports shall be posted on or next to
129 the cage of each dog that was purchased from the breeder that is the
130 subject of such inspection reports.

131 [(c) A licensee who violates any provision of this section shall be
132 liable for a civil penalty not to exceed five hundred dollars. The
133 Attorney General, upon complaint of the Commissioner of
134 Agriculture, may institute a civil action in the superior court for the
135 judicial district of Hartford to recover the penalty specified in this
136 section.]

137 (d) Any licensee who violates any provision of this section shall be
138 fined not more than five hundred dollars.

139 Sec. 4. Section 22-354 of the general statutes is repealed and the

140 following is substituted in lieu thereof (*Effective October 1, 2014*):

141 (a) Any dog or cat imported into this state shall be accompanied by
142 a certificate of health issued no earlier than thirty days prior to the date
143 of importation by a licensed, graduate veterinarian stating that such
144 dog or cat is free from symptoms of any infectious, contagious or
145 communicable disease, and that such dog or cat, if three months of age
146 or older, is currently vaccinated for rabies by a licensed veterinarian. A
147 copy of such health certificate shall be forwarded promptly to the
148 commissioner from the livestock sanitary official of the state of origin.
149 Any dog or cat originating from a rabies quarantine area shall have
150 permission of the State Veterinarian prior to importation into this state.
151 No person, firm or corporation shall import or export for the purposes
152 of sale, adoption or transfer or offering for sale, adoption or transfer
153 any dog or cat under the age of eight weeks unless such dog or cat is
154 transported with its dam and no person, firm or corporation shall sell
155 or offer for adoption or transfer within the state any dog or cat under
156 the age of eight weeks. Any person, firm or corporation violating the
157 provisions of this subsection or bringing any dog or cat into this state
158 from an area under quarantine for rabies shall be fined not more than
159 five hundred dollars or imprisoned not more than thirty days, or both.

160 (b) Any dog sold or offered for sale by a pet shop licensee in this
161 state shall be accompanied by a certificate of origin identifying the
162 name and address of the person, firm or corporation that bred such
163 dog and of any person, firm or corporation that sold such dog to such
164 pet shop licensee. Such certificate shall be in a form as prescribed by
165 the Commissioner of Agriculture. Such information contained in the
166 certificate of origin shall be posted on the sign described in section 22-
167 344d and such information shall be visible to customers. A copy of
168 such certificate shall be provided to the purchaser of such dog at the
169 time of sale and shall be filed by such licensee with the Department of
170 Agriculture not later than seven days after such sale. No pet shop
171 licensee shall purchase a dog or cat for resale from: [a breeder or] (1)
172 Any breeder that (A) is not in possession of a current license issued by

173 the United States Department of Agriculture and any applicable state
 174 agency, (B) committed a direct violation of breeder-related regulations
 175 of the United States Department of Agriculture during the two year
 176 period prior to such purchase, or (C) committed three or more indirect
 177 violations of breeder-related regulations of the United States
 178 Department of Agriculture provided such violations pertained to the
 179 health or welfare of an animal and were not administrative in nature;
 180 or (2) any other person, firm or corporation located outside of this state
 181 that is not in possession of a current license issued by the United States
 182 Department of Agriculture and any applicable state agency. Any pet
 183 shop licensee violating the provisions of this subsection shall be fined
 184 not more than [one] five hundred dollars or imprisoned not more than
 185 thirty days, or both, for each violation. Each day a pet shop licensee is
 186 in violation of this subsection shall constitute a separate offense.

187 Sec. 5. (*Effective October 1, 2014*) Not later than January 1, 2015, the
 188 Commissioner of Agriculture shall submit a report, in accordance with
 189 section 11-4a of the general statutes, to the joint standing committee of
 190 the General Assembly having cognizance of matters relating to the
 191 environment. Such report shall include, but not be limited to, any
 192 legislative recommendations concerning the licensure of pet shops and
 193 the enforcement of any statute or regulation that is applicable to pet
 194 shops.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	22-344c
Sec. 2	<i>October 1, 2014</i>	22-344b
Sec. 3	<i>October 1, 2014</i>	22-344d
Sec. 4	<i>October 1, 2014</i>	22-354
Sec. 5	<i>October 1, 2014</i>	New section

Statement of Purpose:

To implement various recommendations of the Task Force on the Sale of Cats and Dogs from Inhumane Origins at Connecticut Pet Shops.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]